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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/663,116	09/16/2003	Eiji Koumoto	FPO-20126-A (108455-1)	1820
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OLSON & HIERL, LTD. 36th Floor 20 North Wacker Drive Chicago, IL 60606				
EXAMINER CHUNG, DANIEL J				
ART UNIT 2672		PAPER NUMBER		
DATE MAILED: 12/29/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/663,116

Applicant(s)

KOUMOTO, EIJI

Examiner

Daniel J Chung

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --.

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☒ Certified copies of the priority documents have been received in Application No. 09/645,855.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>12-11-2003</u> . | 6) <input type="checkbox"/> Other: ____. |

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DETAILED ACTION

Information Disclosure Statement

Receipt is acknowledged of Applicant's Information Disclosure Statement of 12-11-2003, which has been placed in the application file and considered by the Examiner.

Drawings

The drawings are not objected to by the Examiner.

Specification

Please review the application and correct all informalities.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shea (6,464,618) in view of Brandt (6,134,508).

Regarding claim 1, Shea discloses that the claimed feature of a bicycle computer comprising: a run information input part for inputting information including run information of a bicycle [i.e. 400] (See Fig 4, Fig 9, Fig 11); a personal input part for

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inputting personal information of a user (See Fig 11); display means for displaying a plurality of information including input run information and input personal information of the user (See Fig 3, Fig 7, col 12 line 30-40); customization select means for selecting by the user whether or not to customize contents to be displayed on display means (See col 13 line 20-23); customization item select means for selecting an item to be customized when customization is selected (See col 13 line 24-28); and display mode select means for selecting a display mode for selected item to be customized (See col 9 line 27-67), and display mode selecting means select a number of lines to be displayed on display means. (See col 26 line 52-58, Fig 7)

Shea does not specifically disclose that selecting a display mode for the selected item to be customized and selecting a number of lines to be displayed on the display means. However, such limitations are shown in the teaching of Brandt. [i.e. "a program mode is provided to enable customizing the sequence, position, and selection of displayed data..."] (See Fig 3A-3E, col 1 line 46-col 2 line 52, col 4 line 52-58, col 4 line 59-col 5 line 2, col 5 line 52-62) it would have been obvious to one skilled in the art to incorporate the teaching of Brandt into the teaching of Shea, in order to provide exercise system with user friendly display manner [i.e. "increased flexibility for the user" (See col 1 line 65 in Brandt)], as such improvement is also advantageously desirable in the teaching of Shea for displaying exerciser information with reflection of user's preferences.

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Regarding claim 2, refer to the discussion for the claim 1 hereinabove, Brandt further discloses that display mode select means select, when number of lines to be displayed on display means are two including upper and lower lines, respective display sizes at upper and lower lines. (See Fig 3A-3E, col 1 line 46-col 2 line 52, col 4 line 52-58, col 4 line 59-col 5 line 2, col 5 line 52-62)

Regarding claim 3, Shea discloses that item to be customized is input run information. (See Fig 11A, col 12 line 30-35, col 13 line 20-23)

Regarding claim 4, Shea discloses that means for storing personal information of the user and run information of the bicycle (See Fig 11, col 12 line 30-41); and means for determining if personal information of the user or run information of the bicycle meets a prescribed requirement (See col 17 line 64-col 18 line 6); wherein display means display a prescribed indication when means for determining determine that prescribed requirement is met.(See col 18 line 8-17)

Regarding claim 5, Shea disclose that display means displays information in upper and lower lines. (See Fig 15)

Regarding claim 6, refer to the discussion for the claim 1 hereinabove, Brandt further discloses that a selector for selecting the display size of upper and lower lines.

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(See Fig 3A-3E, col 1 line 46-col 2 line 52, col 4 line 52-58, col 4 line 59-col 5 line 2, col 5 line 52-62)

Regarding claim 7, Shea discloses that display means includes a mode of displaying a part in a digital system and another part in an analog system. (See Fig 15)

Regarding claim 8, Shea discloses that display means includes a display of a graph system. (See Fig 15)

Regarding claim 9, refer to the discussion for the claim 1 hereinabove, Brandt further discloses that a selector for selecting a display language on display means. (See Fig 3A-3E, col 1 line 46-col 2 line 52, col 4 line 52-58, col 4 line 59-col 5 line 2, col 5 line 52-62)

Regarding claim 10, claim 10 is similar in scope to the claim 1, and thus the rejection to claim 1 hereinabove is also applicable to claim 10.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel J. Chung whose telephone number is (703) 306-3419. He can normally be reached Monday-Thursday

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and alternate Fridays from 7:30am- 5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael, Razavi, can be reached at (703) 305-4713.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9306 (Central fax)

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

djc
December 15, 2004

Jeffery A. Brier
JEFFERY BRIER
PRIMARY EXAMINER